

Tolson to complete the collections of John Tolson, her deceased husband, late collector of Queen Anne's county; and the bill for the relief of Arthur H. Willis of Dorchester county, were sent to the house of delegates. Also the engrossed bills from No. 1 to 53, inclusive.

On motion of Mr. West, Leave given to bring in a bill, entitled, An act for the relief of Benjamin Talbot, of Prince-Georges county. Ordered, That Messrs. West, Emerson and Hughlett, be a committee to prepare and bring in the same.

The bill providing for taking the bond of John Stevenson, sheriff of Baltimore county, was read the second and third time by special order and will pass.

The clerk of the house of delegates delivers the following resolutions in favour of soldiers of the revolution, to wit: Thomas Davis, William Lewis, Jacob Knight, Richard R. Tasker, Benjamin Popham, William Merrick, Isaac Kent, William Byas, Richard Foggett, William Rigby, John Catherwood, Stephen Varlow, William Coe, James Frazier, Nehemiah Beckwith, George Gray, Paul Minnie, William Jones, Joseph Bush, Thomas Duffer, Charles Sewall, and Thomas Lloyd; which were read the first time, and referred to the committee appointed on revolutionary claims. Also a bill, entitled An act further supplementary to the act, entitled, An act for amending and reducing into system the laws and regulations concerning last will and testaments, the duties of executors, administrators and guardians, and the rights of orphans, and other representatives of deceased persons; a bill, entitled, An act for the relief and benefit of the heirs and devisees of Edmond Boyd, and Ann Mary Boyd, late of Allegany county, deceased; a bill, entitled, A supplement to an act, entitled, An act to incorporate the president and directors of the Baltimore Water Company; and a bill, entitled, An act annulling the marriage of Thomas F. Ward, and Ann Ward, of Saint Mary's county; which were read the first time and ordered to lie on the table.

The senate resumed the consideration of the resolution relative to the admission of new states into the union, and on motion of Mr. Harper, the question was put, Will the senate receive the following as an amendment to the said resolution? Amendment proposed. Strike out from the word "resolved" 1st resolution to the end thereof, and insert. "Resolved by the general assembly of Maryland, That the senators and representatives from this state in Congress, be requested to use their utmost endeavour, in the admission of the state of Missouri, into the union, to prevent the prohibition of slavery from being required of that state as a condition of its admission." Resolved in the affirmative.

On motion of Mr. Carmichael, the question was put, Will the senate adopt the following message in lieu of the said resolution?

BY THE SENATE, January 19, 1820.

*Gentlemen of the House of Delegates,*

We have considered your resolution, by which "our senators and representatives in congress are requested to use their utmost endeavours, in the admission of new states into the union, to grant to such states all the rights and privileges of the states heretofore admitted, without requiring, as a condition of their admission, the inhibition of involuntary servitude, or any other condition limiting their sovereign powers in a greater degree than the sovereign powers of the original states forming the union are limited and restrained." In this resolution the senate cannot concur, because the senate are of opinion, that this subject belongs exclusively to congress, and that the powers delegated to congress are derived immediately from the people, and not from the states in their corporate capacity; because the senate are of opinion, that the powers delegated by the people to the state legislature, extends no further than regulating the internal concerns of the state, except in certain cases where its powers are expressly specified and defined; and that the legislature has no constitutional right to pledge the opinion of the people of Maryland, upon a measure which belongs exclusively to congress.

The members of the senate, in their individual capacities, and as a part of the people, would be prompt to express their opinions on the Missouri question. The constitution of the United States provides for the admission of new states into the union, without defining the terms and conditions upon which they shall be admitted; and we think, the sound constitutional exposition of that article is, that they should be admitted with all the powers and capacities of internal regulation which belonged to the old states. If congress, in the exercise of the power of admitting a new state into the union, have a right to fetter it with the proposed restriction, they have a right to impose other restrictions to an indefinite extent. And we think, it would be as repugnant to the spirit of our republican institutions, that our state should possess powers of internal regulation not imparted to another, as that one class of citizens of the United States should possess powers and rights which were denied to another.

Determined in the negative.

The question was then put, Will the senate assent to the resolution as amended? The yeas and nays being required appeared as follow:

AFFIRMATIVE.

Mr. President, Messrs. Emerson, Gale, Harper, Howard, Hughlett, Jackson, Magruder and Parnham—9.

NEGATIVE.

Messrs. Carmichael, Cresap, Hollyday, Taney and West—5.

Determined in the affirmative.

The senate adjourns until to-morrow morning 10 o'clock.

THURSDAY, January 20, 1820.

The senate met. Present the same members as on yesterday, except Mr. Harper, indisposed. The proceedings of yesterday were read.

The bill providing for taking the bond of John Stevenson, sheriff of Baltimore, and the resolution relative to the admission of new states into the union, were sent to the house of delegates.

The clerk of the house of delegates delivers the following messages: